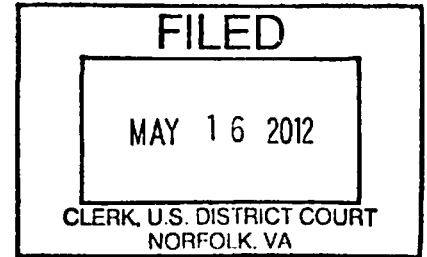


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Newport News Division



DONNA L. WINTERS,

Plaintiff,

v.

CIVIL ACTION NO. 4:12-cv-73

EQUIFAX INFORMATION SERVICES, LLC.

SERVE: Corporation Service Company, Registered Agent
Bank of America Center, 16th Floor
1111 East Main Street
Richmond, Virginia 23219

Defendant.

COMPLAINT

COMES NOW the Plaintiff, DONNA L. WINTERS, by counsel, and for her complaint against the Defendants, alleges as follows:

PRELIMINARY STATEMENT

1. This is an action for statutory and punitive damages, costs and attorney's fees brought pursuant to 15 U.S.C. §1681 et seq. (Federal Fair Credit Reporting Act).

JURISDICTION

2. The jurisdiction of this Court is conferred by 15 U.S.C. §1681p and 28 U.S.C. §1692k(d). Venue is proper as Defendant maintains its registered offices within the boundaries of the Eastern District of Virginia and the Plaintiff resides and all events occurred in the Newport News Division.

PARTIES

3. The Plaintiff is a natural person and resident of the State of Virginia. Plaintiff is a "consumer" as defined by 15 U.S.C. §1681a(c).

4. Upon information and belief, *EQUIFAX INFORMATION SERVICES, LLC.*, ("*Equifax*") is a corporation authorized to do business in the State of Virginia through its

registered offices in the Richmond Division.

5. Upon information and belief, Equifax is a “consumer reporting agency”, as defined in 15 U.S.C. §1681(f). Upon information and belief, Equifax is regularly engaged in the business of assembling, evaluating, and disbursing information concerning consumers for the purpose of furnishing consumer reports, as defined in 15 U.S.C. §1681(d) to third parties.

6. Upon information and belief, Equifax disburses such consumer reports to third parties under contract for monetary compensation.

FACTS

7. On or about November 30, 2011, a company called Med Coll, obtained and used the Plaintiff’s consumer report without a permissible purpose to do so.

8. On or about November 30, 2011, Defendant, Equifax provided and published the Plaintiff’s consumer report to Med Coll without a permissible purpose and without reasonable procedures to obtain verification that Med Coll had a permissible purpose to obtain the Plaintiff’s consumer report.

9. Defendant, Equifax reported within Plaintiff’s consumer file that Med Coll accessed Plaintiff’s credit report for the purpose of an account review.

10. Plaintiff does not, nor has she ever had a credit account with a company called Med Coll.

COUNT ONE: VIOLATION OF FAIR CREDIT REPORTING ACT

§15 U.S.C. 1681b(e)

Furnishing a Credit Report Without a Permissible Purpose

11. Plaintiff realleges and incorporates paragraphs 1 through 10 above as if fully set out herein.

12. Defendant Equifax violated the FCRA, 15 U.S.C. §1681b by providing the Plaintiff’s

consumer reports to Med Coll without a permissible purpose to do so.

13. Equifax's violation was willful.

14. The Plaintiff is entitled to statutory damages and punitive damages, attorneys fees and costs pursuant to 15 U.S.C. §1681n and §1681o.

COUNT TWO:

VIOLATION OF 15 U.S.C. §1681e(a)

15. Plaintiff reiterates and incorporates the allegation contained in paragraph 1 through 14 above as if fully set out herein.

16. Defendant, Equifax violated the FCRA, 15 U.S.C. §1691e(a) by providing the Plaintiff's consumer report to Med Coll without reasonable procedures to assume the proper use of and lawful purpose for such reports.

17. Equifax's violation was willful.

18. The Plaintiff is entitled to statutory damages and punitive damages, attorney fees and costs pursuant to 15 U.S.C. §1681n and §1681o.

WHEREFORE, Your Plaintiff demands judgment for compensatory, statutory and punitive damages against the Defendant, for injunctive and declaratory relief; for her attorneys fees and costs; for pre-judgment and post-judgment interest at the legal rate, and such other relief the Court does deem just, equitable and proper.

TRIAL BY JURY IS DEMANDED.

DONNA L. WINTERS,

By 

Of Counsel

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